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## Record of Closed Meeting | June 28, 2018

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 9:30 a.m. on Thursday, June 28, 2018 to discuss Tollway matters related to the collective bargaining, the purchase or lease of real property, potential or pending litigation, and the minutes of closed meetings, pursuant to exceptions provided in Sections 2(c)2, 2(c)5, 2(c)11, and 2(c)21 of the Illinois *Open Meetings Act*.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

## Executive Session Attendance

Board Members Present:	Staff Present for all or portions of the Meeting:
Chairman Bob Schillerstrom	Kevin Artl (Chief Operating Officer)
Director Earl Dotson, Jr.	Bob Lane (Sr. Assistant Attorney General)
Director David Gonzalez	Christi Regnery (Board Secretary)
Director Craig Johnson	Paul Kovacs (Chief Engineering Officer)
Director Brad Stephens	Mike Woodward (Land Acquisition Manager)
Director Neli Vazquez Rowland	Lorrie Cataudella (General Manager Toll Services)
	Victor Azar (Sr. Assistant Attorney General)
	Mark Bennett (outside counsel)
	Mike Colsch (Chief Financial Officer)

## Directors discussed the minutes of a closed session meeting

Chairman Schillerstrom raised for consideration the Minutes of the Executive Session of the May 24, 2018 Board of Directors meeting. He inquired of the Board if there are any questions,



concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom advised that Board that action on these Minutes will occur upon return to the regular session of the Meeting.

### **Directors discussed land acquisition activities**

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**Identification of Real Estate Parcels (Engineering Item 25):** Pursuant to Tollway obligation (arising from the eminent domain matter of *ISTHA v. DiBenedetto*) to identify real estate interests which may need to be acquired by condemnation, staff provided a summary table of the Central Tri-State (I-294) parcel identification report noting the addition of six (6) parcels, located within Cook County, in which various real estate interests are sought. Staff advised that only the newly identified parcels highlighted in yellow are subject of the amended resolution for which Board consideration is being requested at the Meeting. Staff also noted that one parcel had change of ownership, which is reflected in the report. Staff clarified that the record owner information provided reflects the best known information to-date and is subject to change as the process advances and additional information is acquired.

### **Directors discussed potential or pending litigation**

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**Approval of Settlement Agreement with SFI Chicago Tollway, LLC (Engineering Item 26):** Staff advised the Board that the agency requires the removal of the O'Hare Oasis over the road structure for the widening and reconstruction of the Tri-State Tollway (I-294) and pursuant to terms of the lease agreement has duly provided notice to SFI of its intent to reclaim this oasis.

Directors and staff discussed statements offered during public comment by an oasis tenant and the notice requirements and compensation due SFI (determined by formula) for early termination of the lease. Staff noted that the agency has fully complied with notification requirements of its lease agreement with SFI and it is staff's understanding that SFI has met notification requirements of their lease agreements with oasis tenants.

### **Directors discussed collective bargaining**

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**Collective Bargaining Agreement – SEIU (Legal Item 4):** Staff reported that a collective bargaining agreement has been reached with the Service Employees International Union ("SEIU"), Local 73. Staff noted that the agreement provides a two percent increase for the first year and a 2.25 percent increase for the remaining six months of the contract until its conclusion on June 30, 2019, and will be applied retroactively to a start date of January 1, 2018. Staff highlighted that the new agreement also removes some outdated work rules for toll collectors and allows plaza staffing based on need, providing the agency substantial savings in overtime pay.



Minutes of the  
**Executive Session of the Board of Directors Meeting**

*[Discussions related to collective bargaining issues are redacted].*

**Re-Enter Public Session**

There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Dotson made such a motion; seconded by Director Johnson. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 9:46 a.m.

Minutes taken by: \_\_\_\_\_ /s/ on original  
Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



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### Record of Closed Meeting | June 13, 2018

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 2:06 p.m. on Wednesday, June 13, 2018 to discuss Tollway matters related to the purchase or lease of real property and potential or pending litigation, pursuant to exceptions provided in Sections 2(c)5 and 2(c)11 of the Illinois *Open Meetings Act*.

[*Bolded entries indicate issues which may require follow-up to present or report to the Board.*]

### Executive Session Attendance

Board Members Present:	Staff Present for all or portions of the Meeting:
Chairman Bob Schillerstrom	Kevin Artl (Chief Operating Officer)
Director Jim Banks	Liz Oplawski (Acting General Counsel)
Director Corey Brooks	Christi Regnery (Board Secretary)
Director Earl Dotson, Jr.	Paul Kovacs (Chief Engineering Officer)
Director Craig Johnson	Mike Colsch (Chief Financial Officer)
Director Neli Vazquez Rowland	Rich Bossert (Chief of Communications)

[*Secretary's note: Due to malfunction, the audio of the Executive Session of the Board of Directors meeting was not recorded. Notes were taken throughout by the Board Secretary and used to construct the minutes of the Meeting. No action was taken by the Board during the Executive Session.*]

### Directors discussed land acquisition activities and related pending litigation

**Letter of Intent with Canadian Pacific Railway (Chairman's Item 1):** Chairman Schillerstrom updated the Board on the agency's efforts to acquire real estate interests from



Minutes of the  
**Executive Session of the Board of Directors Meeting**

Canadian Pacific Railway (“CP”) needed for the Elgin O’Hare Western Access (“EOWA”) Project. He reported that a letter of intent has been agreed upon, subject to Board approval, *[Discussions related to litigation and litigation strategy are redacted.]*

**Re-Enter Public Session**

There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Vazquez Rowland made such a motion; seconded by Director Johnson. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 2:26 p.m.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



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### Record of Closed Meeting | July 26, 2018

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 9:45 a.m. on Thursday, July 26, 2018 to discuss Tollway matters related to potential or pending litigation and the minutes of closed meetings, pursuant to exceptions provided in Sections 2(c)11 and 2(c)21 of the Illinois *Open Meetings Act*.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

### Executive Session Attendance

Board Members Present:	Staff Present for all or portions of the Meeting:
Chairman Bob Schillerstrom	Kevin Artl (Chief Operating Officer)
Director James Banks	Liz Oplawski (Acting General Counsel)
Director Corey Brooks	Christi Regnery (Board Secretary)
Director Earl Dotson, Jr.	
Director Joe Gomez	
Director David Gonzalez	
Director Craig Johnson	
Director Brad Stephens	
Director Neli Vazquez Rowland	

### Directors discussed the minutes of a closed session meeting

Chairman Schillerstrom raised for consideration the Minutes of the Executive Sessions of both the June 13, 2018 Special Board of Directors meeting and the June 24, 2018 Regular Board of Directors meeting. He inquired of the Board if there are any questions, concerns or requests for



amendment. Hearing nothing, Chairman Schillerstrom advised the Board that action on these Minutes will occur upon return to the regular session of the Meeting.

### Directors discussed pending litigation

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**Livable Lake County, et al. v. ISTHA:** Acting General Counsel provided a brief background on a lawsuit filed against the Tollway by Livable Lake County, an unincorporated association, and six area homeowners. She explained that the Plaintiffs allege that moving forward with the environmental impact statement (EIS) to study an extension of Route 53 violates portions of the Toll Highway Act, contending that provisions of the Act generally require public hearings and other processes prior to determining where to locate a new tollway. She advised the Board that the Tollway's position is that these portions of the Toll Highway Act do not preclude an EIS; rather they are requirements once a route has been established, which cannot be done prior to the completion of an EIS. She informed the Board that the Tollway's motion to dismiss on grounds that this action is premature was granted on July 17; however, the court gave the Plaintiffs leave to file an amended complaint within 28 days. She noted it is the expectation of the Legal Department that the Plaintiffs will file an amended complaint.

Directors and staff discussed the positions of the parties in the case and related aspects of the agency's communications strategy *[Discussions related to litigation and litigation strategy are redacted.]*

**ISTHA v. Zaher Abbasi, et al.:** Acting General Counsel provided a brief background on a lawsuit filed by the agency to collect \$11,260.23 in damages from a motorist, Zaher Abbasi, who struck a crash attenuator at Toll Plaza 41 *[Discussions related to litigation and litigation strategy are redacted.]* the Tollway elected to proceed to jury trial. She highlighted that on July 16<sup>th</sup>, the jury entered a verdict in favor of the Tollway and awarded the full amount of damages.

Chairman Schillerstrom congratulated the Legal Department on their court victory, *[Discussions related to litigation and litigation strategy are redacted.]*

### Re-Enter Public Session

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There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Banks made such a motion; seconded by Director Dotson. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 9:55 a.m.



Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority





**Executive Session of the  
Finance, Administration and Operations Committee Meeting**

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**Record of Closed Meeting | August 16, 2016**

The Illinois State Toll Highway Authority (the "Tollway") Finance, Administration & Operations Committee met in Executive Session at approximately 9:34 a.m. on Thursday August 16, 2018 to discuss Tollway matters related to potential or pending litigation, pursuant to exception provided in Section 2(c)11 of the Illinois *Open Meetings Act*.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

**Executive Session Attendance**

Board Members Present:	Staff Present for all or portions of the Meeting:
Committee Chair Earl Dotson, Jr.	Liz Gorman (Executive Director)
Director David Gonzalez	Liz Oplawski (Acting General Counsel)
Director Craig Johnson	Kevin Artl (Chief Implementation Officer)
Director Bradley Stephens	Christi Regnery (Board Secretary)

**Directors discussed the appointment of counsel**

Acting General Counsel informed Committee members that Chris Murdoch, a consultant for the Tollway on land acquisition (primarily relating to Canadian Pacific and Union Pacific railroads) for the EOWA Project, is leaving his current firm of Holland & Knight and starting his own firm. She explained that to avoid disruption of services in a critical period, the Legal Department may, if appropriate, seek at the full Board meeting a contract award to the new firm of EmryMurdoch (a DBE firm) to continue the current representation of the agency in these matters. She noted that the award would be in addition to the current contract with Holland & Knight, whose services are still required in other aspects of the EOWA land acquisition.



Minutes of the  
**Executive Session of the  
Finance, Administration and Operations Committee Meeting**

Meeting Date  
**August 16**  
2018



Directors and staff briefly discussed logistics, aspects on which each firm will assist, and impact to the overall cost of services.

**Re-Enter Public Session**

There being no further business requiring Executive Session, Committee Chair Dotson called for a motion to re-enter the public session of the regular Committee Meeting. Director Stephens made such a motion; seconded by Director Gonzalez. Committee Chair Dotson called for a vote. The motion to adjourn was PASSED unanimously.

At approximately 9:43 a.m. the Executive Session concluded.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



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**Record of Closed Meeting | September 27, 2018**

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 10:32 a.m. on Thursday, September 27, 2018 to discuss Tollway matters related to the purchase or lease of real property and potential or pending, pursuant to exceptions provided in Sections 2(c)5 and 2(c)11 of the Illinois *Open Meetings Act*.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

**Executive Session Attendance**

<b>Board Members Present:</b>
Chairman Bob Schillerstrom
Director James Banks
Director Corey Brooks
Director Earl Dotson, Jr.
Director Joe Gomez
Director David Gonzalez
Director Craig Johnson
Director Brad Stephens
Director Neli Vazquez Rowland

<b>Staff Present for all or portions of the Meeting:</b>
Liz Gorman (Executive Director)
Kevin Artl (Chief Operating Officer)
Liz Oplawski (Acting General Counsel)
Mike Woodward (Land Acquisition Manager)
Bob Lane (Asst. Attorney General)
Christi Regnery (Board Secretary)

**Directors discussed pending litigation**

**Final Settlement of Condemnation Litigation - Parcel TW-7-16-005 (Legal Item 5):** Acting General Counsel provided a summary of a condemnation action filed by the Tollway which seeks fee simple partial acquisition (.83 acres) and temporary easement (.481 acres) of a property



located in Cook County, parcel TW-7-16-005, needed in connection with the Central Tri-State Project. She informed the Board that the initial Tollway appraised value of the real estate interests was \$1,728,000.00, which includes contributory value of a billboard sign and sign easement not held by the property owner. She reported that the parties agreed to a preliminary just compensation (PJC) amount of \$1,275,000 in lieu of proceeding to trial on the issue. She explained that separate from the litigation, the easement holder and property owner reached an agreement regarding relocation and future easement involving the billboard. *[Discussions related to land acquisition and litigation strategy are redacted.]* Director Banks indicated his wish to recuse himself from participating in the decision regarding this item.

*[Discussions related to land acquisition and litigation strategy are redacted.]*

*[Director Vazquez Rowland departed the Meeting at approximately 10:38 a.m.]*

**Re-Enter Public Session**

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There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Dotson made such a motion; seconded by Director Banks. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 10:42 a.m.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



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## Record of Closed Meeting | October 25, 2018

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 10:46 a.m. on Thursday, October 25, 2018 to discuss Tollway matters related to the minutes of closed meetings pursuant to exception provided in Section 2(c)21 of the Illinois *Open Meetings Act*.

*[Bolded entries indicate issues which may require follow-up to present or report to the Board.]*

### Executive Session Attendance

Board Members Present:	Staff Present for all or portions of the Meeting:
Chairman Bob Schillerstrom	Liz Gorman (Executive Director)
Director James Banks	Kevin Artl (Chief Operating Officer)
Director Corey Brooks	Liz Oplawski (Acting General Counsel)
Director Earl Dotson, Jr.	Christi Regnery (Board Secretary)
Director Joe Gomez	
Director David Gonzalez	
Director Craig Johnson	
Director Brad Stephens	
Director Neli Vazquez Rowland	

### Directors discussed the minutes of a closed session meeting

Chairman Schillerstrom raised for consideration the Minutes of the Executive Session of the September 27, 2018 Regular Board of Directors meeting. He inquired of the Board if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom



advised the Board that action on these Minutes will occur upon return to the regular session of the Meeting.

### **Re-Enter Public Session**

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There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Banks made such a motion; seconded by Director Dotson. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 10:50 a.m.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



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## Record of Closed Meeting | November 29, 2018

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 10:32 a.m. on Thursday, November 29, 2018 to discuss Tollway matters related to the purchase or lease of real property, potential or pending litigation, and the minutes of closed meetings pursuant to exceptions provided in Sections 2(c)5, 2(c)11, and 2(c)21 of the Illinois *Open Meetings Act*.

[*Bolded entries indicate issues which may require follow-up to present or report to the Board.*]

## Executive Session Attendance

Board Members Present:	Staff Present for all or portions of the Meeting:
Chairman Bob Schillerstrom	Liz Gorman (Executive Director)
Director James Banks	Kevin Artl (Chief Operating Officer)
Director Earl Dotson, Jr.	Bob Lane (Asst. Attorney General)
Director Joe Gomez	Christi Regnery (Board Secretary)
Director David Gonzalez	Rocco Zuccherro (Chief of Planning)
Director Craig Johnson	Mike Colsch (Chief Financial Officer)
Director Brad Stephens	Paul Kovacs (Chief Engineering Officer)
Director Neli Vazquez Rowland	Cassandra Rouse (Deputy Chief of Staff)
	Liz Oplawski (Acting General Counsel)

## Directors discussed land acquisition activities

**Identification of Real Estate Parcels (Engineering Item 13):** Pursuant to Tollway obligation (arising from the eminent domain matter of *ISTHA v. DiBenedetto*) to identify real estate interests which may need to be acquired by condemnation, staff provided a summary table of the I-90





and Route 23 Interchange parcel identification report noting the addition of eight (8) parcels, located within McHenry County, in which various real estate interests are sought. Staff advised that only the newly identified parcels highlighted in yellow are subject of the amended resolution for which Board consideration is being requested at the Meeting. Staff clarified that the record owner information provided reflects the best known information to-date and is subject to change as the process advances and additional information is acquired.

**Identification of Real Estate Parcels (Engineering Item 14):** Pursuant to Tollway obligation (arising from the eminent domain matter of *ISTHA v. DiBenedetto*) to identify real estate interests which may need to be acquired by condemnation, staff provided a summary table of the Central Tri-State (I-294) parcel identification report noting the addition of three (3) parcels, located within Cook County, in which various real estate interests are sought. Staff advised that only the newly identified parcels highlighted in yellow are subject of the amended resolution for which Board consideration is being requested at the Meeting. Staff clarified that the record owner information provided reflects the best known information to-date and is subject to change as the process advances and additional information is acquired.

### **Directors discussed the minutes of a closed session meeting**

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Chairman Schillerstrom raised for consideration the Minutes of the Executive Session of the October 25, 2018 Regular Board of Directors meeting. He inquired of the Board if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom advised the Board that action on these Minutes will occur upon return to the regular session of the Meeting.

### **Directors discussed land acquisition activities**

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**Memorandum of Understanding with Union Pacific Railroad (Chairman's Item 6):** Chairman Schillerstrom updated the Board on the agency's efforts to enter into a binding agreement with Union Pacific Railroad ("UP") regarding the exchange of necessary real estate interests and other items relative to the Elgin O'Hare Western Access ("EOWA") Project. *[Discussions related to land acquisition and litigation strategy are redacted.]*

### **Re-Enter Public Session**

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There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Banks made such





a motion; seconded by Director Dotson. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 10:43 a.m.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority



Minutes of the  
**Executive Session of the Board of Directors Meeting**

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**Record of Closed Meeting | December 20, 2018**

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in Executive Session at approximately 10:12 a.m. on Thursday, December 20, 2018 to discuss Tollway matters related to the performance of specific employees, collective negotiating, purchase or lease of real property, potential or pending litigation, and the minutes of closed meetings pursuant to exceptions provided in Sections 2(c)1, 2(c)2, 2(c)5, 2(c)11, and 2(c)21 of the Illinois *Open Meetings Act*.

[*Bolded entries indicate issues which may require follow-up to present or report to the Board.*]

**Executive Session Attendance**

Board Members Present:
Chairman Bob Schillerstrom
Director James Banks
Director Corey Brooks
Director Earl Dotson, Jr.
Director Joe Gomez
Director David Gonzalez
Director Brad Stephens
Director Neli Vazquez Rowland

Staff Present for all or portions of the Meeting:
Liz Gorman (Executive Director)
Kevin Artl (Chief Operating Officer)
Bob Lane (Senior Assistant. Attorney General)
Christi Regnery (Board Secretary)
Rocco Zuccherro (Chief of Planning)
Mike Colsch (Chief Financial Officer)
Paul Kovacs (Chief Engineering Officer)
Bob Woodward (Land Acquisition Manager)
Liz Oplawski (Acting General Counsel)
Victor Azar (Senior Assistant Attorney General)



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### Directors discussed the minutes of a closed session meeting

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Chairman Schillerstrom raised for consideration the Minutes of the Executive Session of the November 29, 2018 Board of Directors meeting. He inquired of the Board if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom advised the Board that action on these Minutes will occur upon return to the regular session of the Meeting.

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### Directors discussed land acquisition activities

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**Identification of Real Estate Parcels (Engineering Item 16):** Pursuant to Tollway obligation (arising from the eminent domain matter of *ISTHA v. DiBenedetto*) to identify real estate interests which may need to be acquired by condemnation, staff provided a summary table of the Central Tri-State (I-294) parcel identification report noting the addition of five (5) parcels, located within Cook County, in which various real estate interests are sought. Staff advised that only the newly identified parcels highlighted in yellow are subject of the amended resolution for which Board consideration is being requested at the Meeting. Staff clarified that the record owner information provided reflects the best known information to-date and is subject to change as the process advances and additional information is acquired.

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### Directors discussed potential or pending litigation

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**Authorization to enter into a Pre-Litigation Settlement (Legal Item 1):** *[Discussions related to potential or pending litigation are redacted.]* Staff advised the Board that a settlement has been reached between the parties for \$556,850.25, *[Discussions related to potential or pending litigation are redacted.]*

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### Directors discussed collective bargaining matters

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**AFSCME:** Staff briefed the Board on a tentative collective bargaining agreement recently reached with the American Federation of State County Municipal Employees (AFSCME) Local 3883, comprised of approximately 255 mostly professional employees working at Tollway Headquarters. Staff informed Directors that they anticipate AFSCME membership will ratify the agreement and that staff will be presenting the Collective Bargaining Agreement for consideration and approval at the next Board of Directors meeting.



**Teamsters Local 700:** Staff then updated Directors on the status of negotiations with the International Brotherhood of Teamsters Local 700 (“Teamsters Local 700”) which is comprised of approximately 438 Tollway employees, primarily equipment operator laborers (“EOLs”) and roadway maintenance workers.

*[Discussions related to collective bargaining are redacted.]*

**Directors discussed personnel matters.**

Executive Director Gorman reported the addition to staff of Dave McGibbon as Chief Engineer for Project Implementation to assist with responsibility for the Central Tri-State Tollway (I-294) and the Elgin O’Hare Western Access (EOWA) projects. She also reported the upcoming retirement of Liz Oplawski, Acting General Counsel, and thanked her for her twenty years of service to the Tollway. She advised the Board that the Attorney General will appoint an acting General Counsel until a permanent replacement is named. Chairman Schillerstrom and other Directors offered Ms. Oplawski their congratulations.

**Re-Enter Public Session**

There being no further business requiring Executive Session, Chairman Schillerstrom called for a motion to re-enter the public session of the regular Board Meeting. Director Banks made such a motion; seconded by Director Stephens. Chairman Schillerstrom called for a vote. The motion was PASSED unanimously.

The Executive Session concluded at approximately 10:32 a.m.

Minutes taken by: \_\_\_\_\_ /s/ on original

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority